

Criminal Justice Steering Committee Meeting

Minutes of the Meeting of Wednesday, March 25, 2009

2 PM – Department of Corrections

40 Howard Avenue

Cranston, RI

1. Call to Order

Director Wall welcomed everyone and opened the meeting at 11:06 AM. Introductions were made.

2. Attendance

Those attending the meeting included Director A.T. Wall, Chair, Jerry Coyne, representing Attorney General Patrick Lynch; Public Defender John Hardiman; Stephen King, representing Presiding Justice Rodgers; Colonel Brendan Doherty, Supt., RISP; Major Steven Bannon, RISP; Director Patricia Martinez, DCYF; Christopher Cotta, Dept. of Attorney General; Charles Williams, representing Director Craig Stenning, MHRH; Anthony Robinson, Governor's Policy Office; Chief George Kelley III, Pawtucket Police Dept., RIPCA; Jamia McDonald, Office of Economic Recovery and Reinvestment; Thomas Mongeau, Public Safety Grant Administration Office (PSGAO); David LeDoux, PSGAO; Joseph Persia, PSGAO; Kathleen Loiselle, PSGAO.

3. Approval of March 18, 2009 Meeting

Director Wall requested that under Item 4, Paragraph 1, Line 6 the word “will” be deleted and be replaced with the word “would.”

Following Director Wall’s comments, Director Martinez made a motion:

**TO ACCEPT THE MINUTES OF THE MARCH 18, 2009
MEETING AS CORRECTED.**

The motion was seconded by Chief Kelley and was unanimously passed.

4. Continuing Discussion of Funding Options re: the American Recovery and

Re-investment Act for the Edward Byrne Memorial Grant Fund Justice

Assistance Grant (JAG)

Director Wall stated that the purpose of the meeting is to determine what process will be followed in order to obtain funding from the American Recovery and Re-Investment Act

for the Edward Byrne Memorial Grant Fund Justice Assistance Grant (JAG). He added that the committee also needs to know what is

required by April 9, 2009 submission date, and how the process will be handled in an open and proper manner. Director Wall noted that he had asked Jamia McDonald of the Recovery and Reinvestment office to contact a representative in Washington to learn more about the submission requirements.

Jamia McDonald advised that David LeDoux had actually spoken with the Washington representative and found that it will be sufficient to submit a minimal application withholding the Special Conditions until later. She added that this submission will be used as placeholder until the committee decides how to proceed. Ms. McDonald noted that there are explicit instructions involved.

Director Wall responded that there need not be a rush to judgment since now there will be time to gather information. He added that the committee wants to engage in a fair and open process whereby decisions are made openly.

David LeDoux stated that grant management will be done by a computerized system wherein the dollar amount will be inserted. He added that whatever procedures are agreed upon will need to be put forth to show that RI is in a strategic planning process. Mr. LeDoux noted that it will also need to be shown that RI is following the President's Economic Stimulus Plan. He reiterated that RI's State Policy Advisor has informed us that the April 9, 2009 does not need to include the complete program plan and can be submitted as a

“placeholder” application with a full strategic plan to be submitted when complete. Mr. LeDoux noted that the Bureau of Justice Assistance will not begin expending any monies until the plan is approved. He went on to describe a merit based selection process for the Recovery Act.

Mr. LeDoux stated that he and Tom Mongeau had met with Jamia McDonald following the last Steering Committee meeting. He added that they discussed the need for creating funding priorities for the monies that will be received. Mr. LeDoux noted that this grant is separate and apart from the regular formula JAG grant and the application and reporting process will also be separate. He stated that the last time a Strategic Plan was created for the years 2003-2006, a consultant was hired to assist with that process. At that time a survey was developed and sent to all Policy Board members to gain a sense of criminal justice funding needs. Based on the survey results, the consultant tabulated the responses and a list of criminal justice funding priorities was established. Mr. LeDoux stated that that survey needs to be updated and sent to members. Also, a draft planning document needs to be created describing the process to be followed in order to make funding decisions.

Director Wall stated that we need to move on to the process. He asked if a briefing sheet describing fundamentals had been developed.

Mr. LeDoux distributed a 3 page document which described the Recovery Act. He added that he had extrapolated the most important pieces of information from the 20 page solicitation.

Director Wall stated that the message is clear that the committee needs to slow down and do the process correctly. He added that it was important that David reminded the committee of a previous strategic plan process. Director Wall recommended that the committee engage in this planning process to ensure that all points of view are represented. He added that it is important to first talk about policy before the process is discussed. Director Wall stated that since the process has begun, he authorized the Grant Administration staff and Jamia McDonald to refine the process, update it and present it to the Policy Board at a future meeting. He added that this authorization can trigger the planning system.

Director Wall stated that the first step is to develop a strategic planning process to yield policy goals. He added that he recommends that a full Policy Board meeting be held at which time a full process is presented. Director Wall stated that following that meeting, another Policy Board would be held to decide policy goals using Steering Committee recommendations.

Director Martinez responded that it sounded like a good plan. She inquired if community based engagement would be included in the planning process.

Director Wall stated that the first decision point will be how the process will be designed. The second decision step would be the role of community based programs. Director Wall noted that the act authorizes but does not require direct applications from non-profit agencies. He added if there were to be a process of soliciting applications from non-profit agencies it would need to be a transparent procedure and require full participation. Director Wall pointed out that if non-profit agencies are invited to apply there would need to be an offer of technical assistance followed by a screening of applications. He added that it may not make sense to include non-profit agencies in the process. Director Wall noted that the legislature created the Justice Commission (now the Public Safety Grant Administration Office) which is a statement from the legislature that there is a certain expertise in the criminal justice agencies. The legislation also names criminal justice department heads. Director Wall stated that in discussions about policy we need to take cues from the General Assembly and the law. He went on to say that non-profits are involved in the grant funding process because many times an RFP is developed wherein non-profits are ultimately funded.

David LeDoux noted that citizen members of the Policy Board as well as other criminal justice members would complete a survey in which they rate the top criminal justice policies. Community based engagement agencies would not be excluded from receiving funds

through an RFP process. Mr. LeDoux stated that to open the process up to non-profit agencies would be very difficult.

Following this discussion, Director Martinez made a motion:

**THAT THE STEERING COMMITTEE ASK THE
PUBLIC SAFETY GRANT ADMINISTRATION
OFFICE (PSGAO) ASSISTED BY THE OFFICE OF
ECONOMIC RECOVERY AND RE-INVESTMENT
TO DEVELOP A STRATEGIC PLANNING PROCESS THAT
THE PSGAO REPRESENTATIVES CAN USE TO SERVE AS
THE FOUNDATION FOR POLICY GOALS FOR THE USE OF
BYRNE/JAG STIMULUS MONIES;**

**AND FURTHER, THAT THE STEERING COMMITTEE
RECOMMEND TO THE POLICY BOARD THAT A
MEETING BE CONVENED IN THE NEAR FUTURE
WHEN STAFF HAS COMPLETED THE PLANNING
PROCESS TO VET THE PLAN AND AUTHORIZE IT
AT THE POLICY BOARD MEETING WHICH WILL
BE THE GATEWAY TO THE DEVELOPMENT OF
GOALS AND ULTIMATELY THE SUBMISSION OF THE
PROJECT PLANS.**

Mr. Williams asked that the motion include language that staff include community based agencies in their strategic plan.

Director Wall replied that Mr. Williams point was well taken. He added that we do want to include many points of view.

David LeDoux noted that if committee members do not attend meetings they can be dropped from the roster. He added that the attendance record of previous meetings can be examined and if this is the case, the Governor can make appointments to vacant positions.

Director Wall responded that he would not want to complicate matters at this point by changing the composition of the Policy Board.

Tom Mongeau noted that the Policy Board's composition is set by statute not by position. He pointed out that there are 5 or 6 members that are appointed as community based representatives. Mr. Mongeau noted that these members can be replaced because they are appointed positions.

Mr. LeDoux agreed that if the positions are vacant, individuals can be replaced.

Director Wall suggested that this topic can be addressed at the next Policy Board meeting.

Director Martinez asked if the previously made motion included

community based agencies.

Director Wall responded that staff can consider this issue.

Jamia McDonald stated that the committee can reconvene to discuss options based on staff recommendations. She added that the committee may not want to include multiple options to be considered by the Policy Board because it would make the process too complicated. Ms. McDonald stated that the intent of the process is to replicate what has been done in the past.

Steve King pointed out that many existing programs that have been previously funded by the Byrne/JAG grant will run out of money by June 30th if other sources of funding are not available. He asked what will happen to those programs.

Public Defender Hardiman agreed and noted that the Public Defender's Office will run out of money in July. He added that he believes the previously made motion is good. Public Defender Hardiman stated that the Policy Board should meet after a Strategic Plan is decided upon and one or more meetings may be necessary. He asked if it would be better for the Steering Committee to meet again once the planning process has been established.

Director Wall stated that the Steering Committee meeting again makes sense. He added that at some point the Policy Board will need

to approve the Steering Committee's recommendations.

Public Defender Hardiman asked to amend the previously made motion as follows:

**THAT THE STEERING COMMITTEE MEET
AGAIN ONCE A STRATEGIC PLAN IS CREATED AND
BEFORE IT IS PRESENTED TO THE POLICY BOARD.**

Director Wall asked if there should be a motion right now regarding the applicant pool.

Jamia McDonald responded that these are 2 different issues. The first is who is participating in the policy document and the second who is participating in the application process.

Director Wall stated that there would be no motion on the applicant pool until the next presentation. He charged David LeDoux, Jamia McDonald and staff to design a process to include criteria whereby we entertain and evaluate projects. Also, the process should include what the application content should look like. Director Wall pointed out that all of this needs to be accomplished sooner rather than later.

Jamia McDonald noted that David LeDoux has updated the application. She added that the policy goals need to be established

for him to correct the application.

Director Wall stated that the planning process will be reviewed at the next meeting.

Mike Burk asked if the planning process needed to be approved by the Policy Board.

Jamia McDonald responded that the Act speaks to the State Administering Agency of the funds. The responsibilities of the Policy Board and the Governor can be delegated to the Policy Board. Ms. McDonald stated that beyond the Steering Committee there is some level of approval.

Director Wall stated that the Steering Committee will meet again to hear options for the process and goal setting. Following that a Policy Board meeting can be set to approve or change the process. Director Wall added that in the meantime David LeDoux will continue to collect proposals for the Policy Board to approve that will ultimately be given to the Governor. He noted that there is a question of funding those programs that have been previously funded by the Byrne/JAG grant and what will happen if they do not receive monies to keep them operational beyond July 1, 2009.

Jamia McDonald stated that if the planning process takes 6-8 weeks we will move the process more quickly or advise those individuals of what is being done.

Major Bannon noted that separate and apart from the Byrne/JAG grant funds that will be received in the next fiscal year there may be another source of funding to solve the court's funding problem.

Steve King responded that the court is looking at other sources of competitive funding as well. He added that there is no information on the future of Byrne funding.

Tom Mongeau stated that Rhode Island should be receiving appropriately \$1.06 million dollars under the FY09 Appropriations Act.

David LeDoux stated that the stimulus process could delay other funding. He pointed out that previously the Drug Court was adversely affected. The FY09 Byrne/JAG monies could help with those programs that may be in jeopardy.

Director Wall stated that Major Bannon's point was well taken in that the Byrne/JAG monies are not the only source of funding available. There are other competitive grants like VAWA and VOCA wherein agencies may obtain funding.

Following this discussion, Stephen King seconded the previously made motion which was unanimously passed.

5. New Business

David LeDoux advised that the Violence Against Women Act (VAWA) Advisory Planning Committee met to address their stimulus funding. He added that there were already specific contingencies in place for FY 07-09. Mr. LeDoux distributed a briefing sheet explaining the 2009 VAWA American Recovery & Reinvestment (ARRA) Grant Allocation Plan. He explained that 4 full time employees will be funded with VAWA stimulus monies and 12 full time employees will be retained. Mr. LeDoux provided an overview of the funding process. After the Grant Administration Office takes 10% for administrative fees, 30% is allocated to Victim Services, 15% is Discretionary (Victim Services) money, 5% to the Courts, 25% to Prosecution, and 25% to Law Enforcement. Mr. LeDoux explained that of the 30% to Victim Services, 10% must be set aside for culturally specific approved projects. The 10% will be set aside for the RI Indian Council and Destiny House. The Law Enforcement portion is divided between victim advocates and training at the Municipal Police Training Academy.

Mr. LeDoux stated that the Grants to Encourage Arrest Policies will fund 4 new law enforcement advocate positions which will service 6 police departments. He added that final recommendations will need to be approved by the Policy Board before any sub grant awards are made.

Mr. LeDoux discussed the FY 2009 Sexual Assault Services Program grant. He noted that this is a formula grant. The application deadline is April 17, 2009. Mr. LeDoux advised that the dollar amount of the grant is not known at this time. He explained that this grant was created by VAWA office and intended for direct intervention, core services, and related assistance to victims of sexual assault. Day One is the agency that will receive the funds. Mr. LeDoux stated that Day One will create and implement the plan.

After a prolonged discussion, Director Wall noted that these monies were outside of the Stimulus Funds and therefore outside the decision making realm of the Steering Committee. He asked that federal representatives be contacted to determine what needs to be submitted for the April 17, 2009 application deadline.

Mike Burk suggested that a meeting be scheduled with Peg Langhammer and Deb DeBare.

Following this, Public Defender Hardiman made a motion:

**TO AUTHORIZE DAVID LEDOUX AND TOM MONGEAU
TO HOLD A SUB-COMMITTEE MEETING OF THE
VAWA ADVISORY PLANNING COMMITTEE TO DEVELOP
A PLAN FOR SUBMISSION.**

The motion was seconded by Gerry Coyne and was unanimously

passed.

6. Adjourn

There being no further business, the meeting was adjourned at 12:30 PM.

Respectfully submitted,

**Kathleen M. Loiselle
Recording Secretary**

Approved:

Thomas H. Mongeau
Administrative Manager

Approved:

Director A.T. Wall
Chair